

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED.

Date of first receipt and filing in State Engineer's office MAY - 4 1949

Returned to applicant for correction JUN - 6 1949

Corrected application filed AUG 3 1949

The undersigned SALMON RIVER CANAL COMPANY, LTD., a corporation incorporated in the State of Idaho, (Name of applicant) duly qualified in the State of Nevada, County of

State of , hereby makes application for permission to change the point of diversion and place of use of water heretofore appropriated under decreed right (State nature of right that is the basis of this

application, i. e., vested, decreed or permitted right.)

1. The source of water supply is Salmon River

2. The quantity of water desired to be changed 12,251 acre ft.-35.956 (Acre feet, second feet.)

3. The water is to be used for irrigation and domestic purposes

4. The water heretofore used for irrigation and domestic purposes

5. Place of use under existing appropriation 3595.95 acres in Sec. 3, 4, (Under irrigation give number acres)

9, T. 45 N., R. 64; Secs. 1, 12, 13, 14, 23, 24, 26, 27, 33, 34 T. 46 R. 64 N; Sec. 25, 35 & 36 T. 47 R. 64; Secs. 7, 18, 6 T. 46 R. 65; Secs. 30, 31, T. 47 R. 65. (Under irrigation give number acres) (Under irrigation give number subdivision.)

6. Proposed place of use under this application (Under irrigation give number acres)

of acres and description in respect to Government Land Survey; under any other use give location as being within a

40-acre subdivision.)

7. The water is to be diverted from its source at the following point: SE^{1/4}NE^{1/4} of Sec. 20, T. 45 N., R. 64 E., or at a point whence the one quarter corner between Sec. 20 & 21, T. 45 N., R. 64 E., bears S. 34° 53' E. 986.90 ft.

(Describe as being within a 40-acre subdivision of public survey or by course and distance to a section corner.) Final point: Within NE^{1/4} Sec. 17 T. 14 S., R. 15 E. B.M. (See map.)

8. The existing point of diversion under the former appropriation is

as follows: The Harrel Ditch (sometimes called the Big Ditch or High Line canal) at a point from which the NE Corner of Sec. 9, T. 45 R. 64 bears N. 50° (If point of diversion is not changed do not answer.)

9. Number and kind of animals proposed to be watered and 31° E. 22 chains

10. Use will begin about April and end about October of each year. (Month) (Month)

11. The water has been used heretofore during the months of April to October, inclusive of each year

12. Remarks The tract of land to which the water rights is to be transferred (See item 6 above) has never received sufficient water to properly irrigate same, and rights decreed to same have never been filed. Applicant owns all lands on which present diversions are situate, and its shareholders own lands upon which water will be used. No users intervene between present points diversion and proposed place of use.

13. Description of proposed works Earthen dam at first point of diversion; 30 foot canal average depth 6 feet gradient .3% leading northerly from point diversion. Water conducted to impounding dam Twin Falls County, Idaho. Said dam creates reservoir approximately 182650 acre feet capacity from which there is the final point of diversion. (See map)

14. Estimated cost of works \$70,000.00 cost reservoir and distributing system has been over \$1,000,000.00.

15. Estimated time required to construct the works is one year

Salmon River Canal Co., Ltd. Applicant

Compared FWD AT

By Orville R. Wilson

Attorney

Map Filed MAR 2 1949 under 12888
Protested Nov. 18, 1949 by Walter Gilmer et. al.
(Withdrawn by Salmon River Settlement Agreement - Page 24, Article 24)

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of Salmon River as heretofore decreed by the Fourth Judicial District Court of the State of Nevada in and for the County of Elko "In the Matter of the Determination of the Relative Rights in and to the Waters of Salmon River and its Tributaries, in Elko County, Nevada," is issued subject to the terms and provisions imposed in that certain agreement entitled "Salmon River Settlement Agreement" dated May 20, 1952 between the Salmon River Canal Company, Ltd. and Walter M. Gilmer, et al. It is further understood that no other rights on the source will be affected by the change proposed herein and that accurate measurements of the water diverted, stored and placed to beneficial use be kept and shown on the proof of beneficial use when filed. The State reserves the right to regulate the diversion of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use and not to exceed 34,956 cubic feet per second or 12,251 acre-feet per year.

Actual construction work shall begin on or before April 1, 1953

Proof of commencement of work shall be filed before May 1, 1953

Work must be prosecuted with reasonable diligence and be completed on or before April 1, 1954

Proof of completion of work shall be filed before May 1, 1954

Application of water to beneficial use shall be made on or before April 1, 1956. Proof of the application of water to beneficial use must be filed with State Engineer on or before May 1, 1956

Proof of commencement of work filed APR 22 1953

Proof of Completion of work filed APR 22 1953

PROOF OF BENEFICIAL USE FILED APR 22 1953 WITNESS MY HAND AND SEAL this 1st day

of October, 1952

CERTIFICATE No. 4751 ISSUED 4/20/58 4735.956 for Elko
RECORDED 5/8/58 BK. 4 PAGE 87 W-R

STATE ENGINEER

Elko

COUNTY RECORDER

6. 135,000 acres more or less in Secs. 1 & 12, T. 11 S., R. 15 E., B.M.;
Secs. 1 thru 29, incl.; Secs. 32 thru 36 incl., all in T. 11 S., R. 16
E., B.M.; Sec. 7, 8, 9, 14 thru 24 incl., 26, 27, 28, 34 and 35 in
T. 11 S., R. 17 E., B.M.; Secs. 3, 4, 5, 9, 13, 14, 18, 21 thru 29,
incl. 31 thru 36 incl., all in T. 12 S., R. 16 E.; Secs. 16 thru 20,
incl., 30, in T. 12 S., R. 17 E., B.M.; Secs. 1 & 12; T. 13 S., R. 15 E.
B.M.; Sec. 3 thru 10, incl. 15, 16, 17, 18, 20, 21, 22, 27, 28 in T.
13 S., R. 16 E., B.M.; Sec. 11, 12, 14 in T. 14 S., R. 15 E., B.M.; Sec.
3, 4, 8, 9, in T. 14 S., R. 16 E., Hollister T.S. Lots 1-14, Block 85,
in the State of Idaho.

